

**Commonwealth of Kentucky  
Natural Resources and Environmental Protection Cabinet  
Department for Environmental Protection  
Division for Air Quality  
803 Schenkel Lane  
Frankfort, Kentucky 40601  
(502) 573-3382**

**Title V  
AIR QUALITY PERMIT  
Issued under 401 KAR 52:020**

**Permittee Name:** Calvert City Power I, LLC  
**Mailing Address:** 1400 Smith Street, Houston, Texas 77002

**Source Name:** Calvert City Power I, LLC  
**Mailing Address:** Needmore Road, Calvert City, Kentucky 42029

**Source Location:** Needmore Road, Calvert City, Kentucky 42029

**Permit Number:** V-01-007  
**Log Number:** 53376 & 53777  
**Review Type:** Title V/Synthetic Minor  
**Source ID #:** 21-157-00051  
**ORIS Code:** 55119  
**Regional Office:** Paducah  
**County:** Marshall

**Application Complete Date:** February 9, 2001  
**Issuance Date:** March 28, 2003  
**Expiration Date:** March 28, 2008

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**John S. Lyons, Director  
Division for Air Quality**

*Revised 10/18/2002*

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## **SECTION A - PERMIT AUTHORIZATION**

Pursuant to a duly submitted application, which was determined to be complete on February 9, 2001, the Kentucky Division for Air Quality hereby authorizes the construction and operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first having submitted a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in the Regulation 401 KAR 52:020, Title V Permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

## **SECTION B -EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS**

**Emissions Units:**      **01 - 03 (501F-TB-1, 501F-TB-2, & 501F-TB-3)**

**Three Natural Gas-Fired  
Simple Cycle  
Combustion Turbines**

### **Description:**

1,790 MMBTU/hr rated heat input capacity, each, 178 MW rated capacity output, each. Mitsubishi 501F gas-fired simple cycle combustion turbines equipped with dry low NO<sub>x</sub> combustors.

Construction commenced: Proposed April 2001 (Start-Up June 2002)

### **Applicable Regulations:**

Regulation 401 KAR 60:005, Standards of Performance for New Stationary Sources (NSPS), incorporating by reference 40 CFR 60, Subpart GG, Standards of Performance for Stationary Gas Turbines, for emissions unit with a heat input at peak load equal to or greater than 10 MMBTU/hour for which construction commenced after October 3, 1977.

### **State Origin Applicable Regulations:**

Regulation 401 KAR 63:020, Potentially hazardous matter or toxic substances

### **Non Applicable Regulation:**

Regulation 401 KAR 51:017, Prevention of Significant Deterioration of Air Quality (PSD), because facility emissions of criteria pollutants are limited to 245 tons per year.

### **1. Operating Limitations:**

The permittee shall limit the operation of all combustion turbines such that the maximum total annual (12-month rolling average) hours combined shall not exceed 2645 hours for all units. [Self-imposed restriction which precludes Regulation 401 KAR 51:017, Prevention of significant deterioration of air quality]. Pipeline natural gas shall be the sole fuel fired in the turbines. The following also apply:

- a) The permittee shall not operate any combustion turbine below 70 percent load, except during periods of startup, shutdown, and malfunction. [Self-imposed restriction which precludes Regulation 401 KAR 51:017, Prevention of significant deterioration of air quality]. Startup shall be defined as going from 0% load up to or above 70% load and shutdown means going from 70% load down to 0% load.
- b) Elapsed time during each startup or shutdown for each combustion turbine shall not exceed two (2) hours. Each combustion turbine shall not start up or shut down more than 200 times per year.

**SECTION B -EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****2. Emission Limitations:**

a) Pursuant to Regulation 401 KAR 60:005, incorporating by reference 40 CFR 60:332, and to preclude 401 KAR 51:017, nitrogen oxides emission level in the exhaust gas shall not exceed 25 ppm by volume at 15 percent oxygen, on a dry basis, and based on a three-hour rolling average, except during periods startup, shutdown, and malfunction. Continuous compliance with this limit shall be demonstrated by continuous emission monitor. The nitrogen oxides limitation contained in Regulation 401 KAR 60:005, incorporating 40 CFR 60:332 are met by this condition. The ppm level of nitrogen oxides (at ISO standard conditions) shall be demonstrated by stack test.

b) To preclude Regulation 401 KAR 51:017, carbon monoxide emission level in the exhaust gas shall not exceed 15 ppm by volume at 15 percent oxygen, on a dry basis, and based on a three-hour rolling average, except during periods of startup, shutdown, and malfunction. Continuous compliance with this limit shall be demonstrated by continuous emission monitor. The carbon monoxide limitation contained in Regulation 401 KAR 60:005, incorporating by reference 40 CFR 60:332 is met by this condition. The ppm level of carbon monoxide (at ISO standard conditions) shall be demonstrated by stack test.

c) Pursuant to 40 CFR 60.333, the permittee shall either not cause to be discharged into the atmosphere any gases which contain sulfur dioxide in excess of 0.015 percent by volume at 15 percent oxygen on a dry basis or not burn any fuel which contains sulfur in excess of 0.8 percent by weight.

d) Pursuant to Regulation 401 KAR 60:005, incorporating by reference 40 CFR 60:333, and to preclude 401 KAR 51:017, the fuel sulfur content due to the firing of pipeline quality natural gas shall not exceed 2 grain sulfur/100 SCF gas.

e) The permittee shall not allow total formaldehyde emissions in the exhaust gas to exceed 10 tons during any consecutive 12- month period.

f) See Section D for source-wide emission limitations.

**3. Testing Requirements:**

a) Pursuant to Regulation 401 KAR 60:005, incorporating by reference 40 CFR 60.335 (b), in conducting performance tests required by 40 CFR 60.8, the owner or operator shall use as test methods and procedures the test methods in Appendix A of Part 60 or other methods or procedures as specified in 40 CFR 60.335, except as provided for in 40 CFR 60.8(b).

b) The owner or operator shall determine compliance with the nitrogen oxides standard in accordance with 40 CFR 60.335(c)(1), (2), and (3) which includes use of Method 20 to determine the nitrogen oxides and oxygen concentrations.

## **SECTION B -EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

### **3. Testing Requirements (Continued):**

c) Pursuant to Regulation 401 KAR 50:045, the owner or operator shall conduct an initial performance test for nitrogen oxides. The initial nitrogen oxides performance test shall be performed in accordance with General Condition G (d)(5).

d) Pursuant to Regulation 401 KAR 50:045, the owner or operator shall conduct an initial test for fuel sulfur content in accordance with fuel monitoring schedule.

e) Pursuant to Regulation 401 KAR 60:005, incorporating 40 CFR 60.335(d), the owner or operator shall determine compliance with the sulfur content standard as follows: ASTM D 1072-80, D 3031-81, D 4084-82, or D 3246-81 shall be used for the sulfur content of gaseous fuels. The applicable ranges of some ASTM methods mentioned above are not adequate to measure the levels of sulfur in some fuel gases. Therefore, dilution of samples before analysis (with verification of the dilution ratio) may be used, subject to the approval of the Division.

f) To meet the requirements of 40 CFR 60.334(b), the owner or operator shall use the methods specified in 40 CFR 60.335(d) to determine the sulfur content of the fuel being burned. The owner or operator, a service contractor retained by the owner or operator, the fuel vendor, or any other qualified agency may perform the analysis.

h) Pursuant to Regulation 401 KAR 50:045, the owner or operator shall conduct an initial performance test for formaldehyde, with use of a reference test method approved by the Division.

g) See General Conditions G (d)(5) and G (d)(6).

### **4. Specific Monitoring Requirements:**

a) Pursuant to Regulation 401 KAR 52:020, Section 10, and 401 KAR 52:060, Acid Rain, incorporating by reference 40 CFR 75, the permittee shall install, calibrate, maintain, and operate the nitrogen oxides Continuous Emissions Monitor (CEM) in accordance with manufacturer's instructions. The nitrogen oxides CEM shall be used as the indicator of continuous compliance with the nitrogen oxides emission limit. Excluding the startup and shut down periods, if any 3-hour rolling average exceeds the nitrogen oxides emission limitation, the permittee shall initiate an investigation of the cause of the exceedance and complete necessary control device/process/CEM repairs or take corrective action as soon as practicable.

b) The nitrogen oxides CEM shall be used in lieu of the water to fuel monitoring system for reporting excess emissions in accordance with 40 CFR 60.334(c)(1). The calibration of the water to fuel monitoring device required in 40 CFR 60.335(c)(2) will be replaced by the 40 CFR 75 certification tests of the nitrogen oxides CEM.

**SECTION B -EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

**4. Specific Monitoring Requirements continued:**

- c) A CEM system for measuring oxygen levels shall be installed, calibrated, maintained, and operated in accordance with manufacturer's instructions.
- d) The owner or operator shall comply with all of the monitoring requirements of 40 CFR 75.
- e) Pursuant to 401 KAR 52:020, Section 10, the permittee shall monitor the fuel consumption each month and the hours of operation for each emission unit.
- f) Pursuant to Regulation 401 KAR 60:005, incorporating 40 CFR 60.334(b), the owner or operator of any stationary turbine shall monitor sulfur content of the fuel being fired in the turbine. The frequency of determination of these values shall be as specified in 40 CFR 60.334(b)(1) and (2). (Custom fuel monitoring schedule required) If pipeline natural gas is being used, vendor certification of sulfur content shall be accepted as fulfilling this requirement.
- g) Pursuant to Regulation 401 KAR 52:020, Section 10, to meet the periodic monitoring requirement for carbon monoxide the permittee shall use a continuous emission monitor (CEM). Excluding the startup and shut down periods, if any 3-hour rolling average carbon monoxide value exceeds the permit limit, the permittee shall, as appropriate, initiate an investigation of the cause of the exceedance and complete necessary process or CEM repairs or take corrective action as soon as practicable.

## **SECTION B -EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

### **4. Specific Monitoring Requirements continued:**

h) Pursuant to Regulation 401 KAR 60:005 incorporating by reference 40 CFR 60, The following are included:

1. Pursuant to 40 CFR 60.13(b), the continuous monitoring systems and monitoring devices shall be installed and operational prior to conducting the initial performance tests. Verification of operational status shall, as a minimum, include completion of the manufacturer's written requirements or recommendations for installation, operation, and calibration of the device(s).

2. Pursuant to 40 CFR 60.13(c), the owner or operator of an emissions unit shall conduct a performance evaluation of the continuous monitoring system during any performance test or within 30 days thereafter, in accordance with the applicable performance specification in 40 CFR 60 Appendix B, for nitrogen oxides or carbon monoxide. Performance evaluations of CEM systems shall be conducted at other times as required.

3. Pursuant to 40 CFR 60.13(d)(1), the owner(s) and operator(s) of all continuous monitoring systems shall perform appropriate calibration checks and zero and span adjustments in accordance with a written procedure at least once daily, in accordance with requirements specified in 40 CFR 60.13(d)(1).

4. Pursuant to 40 CFR 60.13(e), except for system breakdowns, repairs, calibration checks, and zero and span adjustments required under 40 CFR 60.13(d), all continuous monitoring systems shall be in continuous operation and shall meet minimum frequency of operation requirements which involves one cycle of operation (sampling, analyzing, and data recording) for each successive fifteen (15) minute period.

5. Pursuant to 40 CFR 60.13(f), all continuous monitoring systems or monitoring devices shall be installed such that representative measurements of emissions or process parameters from the emissions unit are obtained. Additional procedures for location of continuous monitoring systems contained in the applicable Performance Specifications of 40 CFR 60 Appendix B shall be used.

6. Pursuant to 40 CFR 60.13(h), for the continuous monitoring systems the owner(s) or operator(s) shall reduce all data to one-hour averages. The one-hour averages shall be computed from four or more data points equally spaced over each one-hour period. Data recorded during periods of continuous monitoring system breakdowns, repairs, calibration checks, and zero and span adjustments shall not be included in the data averages computed. An arithmetic or integrated average of all data may be used. The data may be recorded in reduced or non-reduced form (e.g., ppm pollutant and percent oxygen). All excess emissions shall be converted into units of the applicable standard using the applicable conversion procedures specified in Subpart GG. After conversion into units of the standard, the data may be rounded to the same number of significant digits as used to specify the applicable emission standard.



## **SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

### **5. Specific Record Keeping Requirements:**

- a) Pursuant to Regulation 401 KAR 59:005, Section 3, the owner or operator of the gas turbines shall maintain a file of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems and devices; and all other information required by Regulation 401 KAR 59:005 recorded in a permanent form suitable for inspection.
- b) Records, including those documenting the results of each compliance test and all other records and reports required by this permit, shall be maintained for five (5) years pursuant to Regulation 401 KAR 52:020, Section 10.
- c) Pursuant to Regulation 401 KAR 59:005, Section 3, the owner or operator of the unit shall maintain the records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of the emissions unit, any malfunction of the air pollution control equipment; or any period during which a continuous monitoring system or monitoring device is inoperative.
- d) The permittee shall maintain a weekly log of all sulfur content measurements or other documents as required in an approved custom fuel sulfur monitoring plan for the gaseous fuel.

### **6. Specific Reporting Requirements:**

- a) Pursuant to Regulation 401 KAR 59:005, Section 3, minimum data requirements as follow shall be maintained and furnished in the format specified by the Division. Owners or operators of facilities required to install continuous monitoring systems shall submit for every calendar quarter a written report of excess emissions (as defined in applicable sections) to the Division. All quarterly reports shall be postmarked by the thirtieth (30th) day following the end of each calendar quarter and shall include the following information:
  - 1) The magnitude of the excess emissions computed in accordance with Regulation 401 KAR 59:005, Section 4(8), any conversion factors used, and the date and time of commencement and completion of each time period of excess emissions.
  - 2) Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the emissions unit. The nature and cause of any malfunction (if known), the corrective action taken or preventive measures adopted.

## **SECTION B -EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

### **6. Specific Reporting Requirements (Continued):**

- 3) The date and time identifying each period during which a continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments.
  - 4) When no excess emissions have occurred or the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be stated in the report.
- b) Pursuant to Regulation 401 KAR 60:005, incorporating by reference 40 CFR 60.334 (c), for the reports regarding nitrogen oxides excess emissions (in lieu of those based on the water to fuel ratio monitoring) periods of excess emissions are defined as follows: Any three-hour period during which the average nitrogen oxides emission level as measured by the continuous monitoring system falls above the emission limitation specified in Subsection 2, with which the permittee demonstrates compliance by the performance test required in 40 CFR 60.8. These periods of excess emissions shall be reported quarterly.
- c) Pursuant to Regulation 401 KAR 60:005, incorporating by reference 40 CFR 60.334(c), each report of nitrogen oxides excess emissions shall include the average nitrogen oxides emission level from the CEM equipment.
- d) Pursuant to Regulation 401 KAR 60:005, incorporating by reference 40 CFR 60.334(c), excess emissions of sulfur dioxide are defined as any daily period (or as otherwise required in an approved custom fuel sulfur monitoring plan) during which the sulfur content of the fuel being fired in the gas turbine(s) exceeds the limitations set forth in Subsection 2, Emission Limitations. These periods of excess emissions shall be reported quarterly.

### **7. Specific Control Equipment Operating Conditions:**

- a) The dry low nitrogen oxides combustors shall be operated at all times to maintain compliance with permitted emission limitations, in accordance with manufacturer's specifications and/or standard operating practices.
- b) See Section E for further requirements.

## **SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS**

**Emissions Unit: 04 (--) Natural Gas Heater**

**Description:**

Construction commenced: Proposed April 2001 (Start-Up June 2002)  
9 MMBTU/hour natural gas heater

**Applicable Regulations:**

None

**Non Applicable Regulation:**

Regulation 401 KAR 51:017, Prevention of Significant Deterioration of Air Quality (PSD), because facility emissions of criteria pollutants are limited to 245 tons per year.

**1. Operating Limitations:**

See Section D

**2. Emission Limitations:**

See Section D for source-wide emission limitations.

**3. Testing Requirements:**

None

**4. Specific Monitoring Requirements:**

The permittee shall monitor the monthly fuel usage, the average monthly fuel heat content, and the monthly hours of operation.

**5. Specific Recordkeeping Requirements:**

1. The permittee shall maintain records of monthly fuel used, monthly average fuel heat content, and monthly hours of operation of the natural gas heater.

2. The permittee shall calculate and maintain records of such calculations to assure compliance with the emission limitations for the natural gas heater. The calculations shall be performed monthly with use of the monthly fuel usage, fuel heat content, hours of operation, and emission factors as specified in Appendix B of the application for the natural gas heater.

**6. Specific Reporting Requirements:**

None

**7. Specific Control Equipment Operating Conditions:**

None

## **SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS**

### **Emissions Unit: 05 (--) Fire Water Pump**

#### **Description:**

Construction commenced: Proposed April 2001 (Start-Up June 2002)

Emergency fire water pump, 500 hp, diesel-fired

#### **Applicable Regulations:**

None

#### **Non Applicable Regulation:**

Regulation 401 KAR 51:017, Prevention of Significant Deterioration of Air Quality (PSD), because facility emissions of criteria pollutants are limited to 245 tons per year.

#### **1. Operating Limitations:**

See Section D

#### **2. Emission Limitations:**

See Section D for source-wide emission limitations.

#### **3. Testing Requirements:**

None

#### **4. Specific Monitoring Requirements:**

The permittee shall monitor the monthly fuel usage, the average monthly fuel heat content, and the monthly hours of operation.

#### **5. Specific Recordkeeping Requirements:**

1. The permittee shall maintain records of monthly fuel used, monthly average fuel heat content, and monthly hours of operation of the fire water pump.

2. The permittee shall calculate and maintain records of such calculations to assure compliance with the emission limitations for the fire water pump. The calculations shall be performed monthly with use of the monthly fuel usage, fuel heat content, hours of operation, and emission factors as specified in Appendix B of the application for the natural gas heater.

#### **6. Specific Reporting Requirements:**

None

#### **7. Specific Control Equipment Operating Conditions:**

None

## **SECTION C - INSIGNIFICANT ACTIVITIES**

The following listed activities have been determined to be insignificant activities for this source pursuant to Regulation 401 KAR 52:020, Section 6. While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

<u>Description</u>	<u>Generally Applicable Regulation</u>
1. Fugitive emissions from natural gas fuel handling system	NA

**SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS**

1. Nitrogen oxides, sulfur dioxide, and carbon monoxide emissions, as measured by methods referenced in Regulation 401 KAR 50:015, Section 1, shall not exceed the respective limitations specified herein.
2. Compliance with any annual emissions, operating, or process limitations imposed pursuant to Regulation 401 KAR 52:020, Section 10, and contained in this permit, shall be based on emissions and operation for any twelve (12) consecutive months.
3. Gas Combustion Turbines (emission units 01-03), Gas Heater (emission unit 04), and Fire Water Pump (emission unit 05)  
Pursuant to Regulation 401 KAR 52:020, Section 10, and to preclude Regulation 401 KAR 51:017, actual emissions of nitrogen oxides (NO<sub>x</sub>), and carbon monoxide (CO) from the combustion turbines, the natural gas-fired heater and fire water pump engine shall not exceed 245 tons per year, for each pollutant, during any consecutive twelve (12) month period. The permittee shall assure compliance with these limitations by use of continuous emission monitoring (CEMs) for the combustion turbines and calculations for the natural gas heater and fire water pump with emission factors provided in Appendix B of the application. The permittee shall track and maintain a monthly total and a twelve consecutive month summary of nitrogen oxides and carbon monoxide emissions to assure compliance with this limitation. [Equations for natural gas heater based on Appendix B: (1) For nitrogen oxides: lbs/hour = rated capacity in MMBTU/hour x 0.10 lb/MMBTU. Tons/month = lbs/hour nitrogen oxides x (hours of operation/month) / (2000 lb/Ton). (2) For carbon monoxide: lbs/hour = rated capacity in MMBTU/hour x 0.050 lb/MMBTU. Tons/month = lbs/hour carbon monoxide x (hours of operation/month) / 2000 lb/Ton). Equations for fire water pump engine based on Appendix B: (1) For nitrogen oxides: lbs/hour = 6.6 lbs/hr. Tons/month = lbs/hour nitrogen oxides x (hours of operation/month) / (2000 lb/Ton). (2) For carbon monoxide: lbs/hour = 1.8 lbs/hr. Tons/month = lbs/hour carbon monoxide x (hours of operation/month) / 2000 lb/Ton).]
4. The maximum operating time for the fire-water pump engine shall not exceed 52 hours in any consecutive twelve months.
5. The maximum operating time for the natural gas heater shall not exceed 2645 hours in any consecutive twelve months.
6. Compliance with the annual nitrogen oxides emission limitation shall be determined by adding the emissions from the turbines, the gas heater and fire water pump for any twelve (12) consecutive months.

**SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS (CONTINUED)**

7. Compliance with the annual carbon monoxide emission limitation shall be determined by adding the emissions from the turbines, the gas heater and fire water pump for any twelve (12) consecutive months.
8. Records of tons of NO<sub>x</sub> and CO emissions emitted from the source in any consecutive twelve (12) month period shall be reported quarterly to the Kentucky Division for Air Quality's Paducah Regional Office.

## **SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS**

Pursuant to Regulation 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any emissions unit including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.



**SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS**

1. When continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
  - a. Date, place as defined in this permit, and time of sampling or measurements.
  - b. Analyses performance dates;
  - c. Company or entity that performed analyses;
  - d. Analytical techniques or methods used;
  - e. Analyses results; and
  - f. Operating conditions during time of sampling or measurement.[Section 1b (IV)1 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality [Sections 1b(IV) 2 and 1a(8) of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
3. In accordance with the requirements of 401 KAR 52:020 Section 3(1)h the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
  - a. Enter upon the premises to inspect any facility, equipment (including air pollution control quipment), practice, or operation;
  - b. To access and copy any records required by the permit:
  - c. Inspect, at reasonable times, any facilities, equipment (including monitoring and pollution control equipment), practices, or operations required by the permit. Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.
  - d. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.
  - e. Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.

**SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)**

5. Summary reports of any monitoring required by this permit, other than continuous emission or opacity monitors, shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation [Section 1b (V )1 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
6. The semi-annual reports are due by January 30th and July 30th of each year. Data from the continuous emission and opacity monitors shall be reported to the Technical Services Branch in accordance with the requirements of 401 KAR 59:005, General Provisions, Section 3(3). All reports shall be certified by a responsible official pursuant to 401 KAR 52:020 Section 23. All deviations from permit requirements shall be clearly identified in the reports.
7. In accordance with the provisions of 401 KAR 50:055, Section 1 the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
  - a. When emissions during any planned shutdowns and ensuing startups will exceed the standards notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
  - b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards notification shall be made as promptly as possible by telephone (or other electronic media) and shall cause written notice upon request.
8. The semi-annual reports are due by January 30th and July 30th of each year. Data from the continuous emission and opacity monitors shall be reported to the Technical Services Branch in accordance with the requirements of 401 KAR 59:005, General Provisions, Section 3(3). All reports shall be certified by a responsible official pursuant to 401 KAR 52:020 Section 23. All deviations from permit requirements shall be clearly identified in the reports.

**SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)**

9. In accordance with the provisions of 401 KAR 50:055, Section 1 the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
  - a. When emissions during any planned shutdowns and ensuing startups will exceed the standards notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
  - b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards notification shall be made as promptly as possible by telephone (or other electronic media) and shall cause written notice upon request.
10. The owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Section F.7. above) to the Regional Office listed on the front of this permit within *30 days*. Other deviations from permit requirements shall *be included in the semiannual report required by Section F.6* [Section 1b (V) 3, 4. of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
11. Pursuant to 401 KAR 52:020, Permits, Section 21, the permittee shall certify compliance with the terms and conditions contained in this permit, by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the regional office) to the Regional Office listed on the front of this permit and the U.S. EPA in accordance with the following requirements:
  - a. Identification of the term or condition;
  - b. Compliance status of each term or condition of the permit;
  - c. Whether compliance was continuous or intermittent;
  - d. The method used for determining the compliance status for the source, currently and over the reporting period, and
  - e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.

## **SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)**

- f. The certification shall be postmarked by January 30th of each year. **Annual compliance certifications should be mailed to the following addresses:**

**Division for Air Quality  
Paducah Regional Office  
4500 Clarks River Road  
Paducah, KY 42003-0823**

**U.S. EPA Region IV  
Air Enforcement Branch  
Atlanta Federal Center  
61 Forsyth St.  
Atlanta, GA 30303-8960**

**Division for Air Quality  
Central Files  
803 Schenkel Lane  
Frankfort, KY 40601**

12. In accordance with 401 KAR 52:020, Section 22, the permittee shall provide the division with all information necessary to determine its subject emissions within thirty (30) days of the date the KYEIS emission survey is mailed to the permittee.
11. Pursuant to Section VII.3 of the policy manual of the Division for Air Quality as referenced by 401KAR 50:016, Section 1(1), results of performance test(s) required by the permit shall be submitted to the division by the source or its representative within forty-five days after the completion of the fieldwork.

**SECTION G - GENERAL PROVISIONS**(a) General Compliance Requirements

1. The permittee shall comply with all conditions of this permit. Noncompliance shall be a violation of 401 KAR 52:020 and of the Clean Air Act and is grounds for enforcement action including termination, revocation and re-issuance, revision or denial of a permit [Section 1a, 3 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020 Section 26].
2. The filing of a request by the permittee for any permit revision, revocation, re-issuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition [Section 1a, 6 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
3. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:020, Section 19. The permit will be reopened for cause and revised accordingly under the following circumstances:
  - a. If additional requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:020, Section 12;
  - b. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
  - c. The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit;
  - d. If any additional applicable requirements of the Acid Rain Program become applicable to the source.

Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Re-openings shall be made as expeditiously as practicable. Re-openings shall not be initiated before a notice of intent to reopen is provided to the source by the division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the division may provide a shorter time period in the case of an emergency.

## SECTION G - GENERAL PROVISIONS (CONTINUED)

4. The permittee shall furnish information upon request of the cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or compliance with the conditions of this permit [Section 1a, 7,8 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
5. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such facts or corrected information to the permitting authority [401 KAR 52:020, Section 7(1)].
6. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit [Section 1a, 14 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
7. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Section 1a, 4 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
8. Except for requirements identified in this permit as state-origin requirements, all terms and conditions shall be enforceable by the United States Environmental Protection Agency and citizens of the United States [Section 1a, 15 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
9. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038, Section 3(6) [Section 1a, 10 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
10. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance [401 KAR 52:020, Section 11(3)(b)].
11. This permit does not convey property rights or exclusive privileges [Section 1a, 9 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

## **SECTION G - GENERAL PROVISIONS (CONTINUED)**

12. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Natural Resources and Environmental Protection or any other federal, state, or local agency.
  13. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry [401 KAR 52:020, Section 11(3)(d)].
  14. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders [401 KAR 52:020, Section 11(3)(a)].
  15. This permit consolidates the authority of any previously issued PSD, NSR, or Synthetic minor source pre-construction permit terms and conditions for various emission units and incorporates all requirements of those existing permits into one single permit for this source.
  16. Pursuant to 401 KAR 52:020, Section 11, a permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of issuance. Compliance with the conditions of a permit shall be considered compliance with:
    - (a) Applicable requirements that are included and specifically identified in the permit and
    - (b) Non-applicable requirements expressly identified in this permit.
- (b) Permit Expiration and Reapplication Requirements
1. This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the division [401 KAR 52:020, Section 12].
  2. The authority to operate granted shall cease to apply if the source fails to submit additional information requested by the division after the completeness determination has been made on any application, by whatever deadline the division sets [401 KAR 52:020 Section 8(2)].

## **SECTION G - GENERAL PROVISIONS (CONTINUED)**

(c) Permit Revisions

1. A minor permit revision procedure may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of 401 KAR 52:020, Section 14(2).
2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

(d) Construction, Start-Up, and Initial Compliance Demonstration Requirements

1. Construction of process and/or air pollution control equipment authorized by this permit shall be conducted and completed only in compliance with the conditions of this permit.
2. Within thirty (30) days following completion and within fifteen (15) days following start-up and attainment of the maximum production rate specified in the permit application, or within fifteen (15) days following the issuance date of this permit, whichever is later, the permittee shall furnish to the Regional Office listed on the front of this permit in writing, with a copy to the division's Frankfort Central Office, notification of the following:
  - a. The date when construction commenced.
  - b. The date of start-up of the affected facilities listed in this permit.
  - c. The date when the maximum production rate specified in the permit application was achieved.
3. Pursuant to 401 KAR 52:020, Section 3(2), unless construction is commenced within eighteen (18) months after the permit is issued, or begins but is discontinued for a period of eighteen (18) months or is not completed within a reasonable timeframe then the construction and operating authority granted by this permit for those affected facilities for which construction was not completed shall immediately become invalid. Upon written request, the cabinet may extend these time periods if the source shows good cause.



**SECTION G - GENERAL PROVISIONS (CONTINUED)**

4. For those affected facilities for which construction is authorized by this permit, a source shall be allowed to construct with the proposed permit. Operational or final permit approval is not granted by this permit until compliance with the applicable standards specified herein has been demonstrated pursuant to 401 KAR 50:055. If compliance is not demonstrated within the prescribed timeframe provided in 401 KAR 50:055, the source shall operate thereafter only for the purpose of demonstrating compliance, unless otherwise authorized by Section I of this permit or order of the cabinet.
5. This permit shall allow time for the initial start-up, operation, and compliance demonstration of the affected facilities listed herein. However, within sixty (60) days after achieving the maximum production rate at which the affected facilities will be operated but not later than 180 days after initial start-up of such facilities, the permittee shall conduct a performance demonstration *test* on the affected facilities in accordance with 401 KAR 50:055, General compliance requirements. *These performance tests must also be conducted in accordance with General Provisions G(d)7 of this permit and the permittee must furnish to the Division for Air Quality's Frankfort Central Office a written report of the results of such performance test*
6. Terms and conditions in this permit established pursuant to the construction authority of 401 KAR 51:017 or 401 KAR 51:052 shall not expire.
7. Pursuant to Section VII 2.(1) of the policy manual of the Division for Air Quality as referenced by 401 KAR 50:016, Section 1.(1), at least one month prior to the date of the required performance test, the permittee shall complete and return a Compliance Test Protocol (Form DEP 6027) to the division's Frankfort Central Office. Pursuant to 401 KAR 50:045, Section 5, the division shall be notified of the actual test date at least ten (10) days prior to the test.
8. Pursuant to Section VII 1.(2 and 3) of the policy manual of the Division for Air Quality as referenced by 401 KAR 50:016, Section 1.(1), if a demonstration of compliance, through performance testing was made at a production rate less than the maximum specified in the application form, then the permittee is only authorized to operate at a rate that is 110% of rate obtained during performance testing. If and when the facility is capable of operation at a higher rate (or maximum rate), compliance may be demonstrate at the new production rate.

## **SECTION G - GENERAL PROVISIONS (CONTINUED)**

(e) Acid Rain Program Requirements

1. If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.
2. The permittee shall comply with all requirements and conditions of the Title IV Acid Rain Permit(s) issued for this source.

(f) Emergency Provisions

1. Pursuant to 401 KAR 52:020 Section 24(1), an emergency shall constitute an affirmative defense to an action brought for the noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or relevant evidence that:
  - a. An emergency occurred and the permittee can identify the cause of the emergency;
  - b. The permitted facility was at the time being properly operated;
  - c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and
  - d. Pursuant to 401 KAR 52:020, 401 KAR 50:055, and KRS 224.01-400, the permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division when emission limitations are exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.
  - e. This requirement does not relieve the source from other local, state or federal notification requirements.
2. Emergency conditions listed in General Condition (f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:020, Section 24(3)].
3. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof [401 KAR 52:020, Section 24(2)].

## SECTION G - GENERAL PROVISIONS (CONTINUED)

(g) Risk Management Provisions

1. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:

**RMP Reporting Center  
P.O. Box 3346  
Merrifield, VA, 22116-3346**

2. If requested, submit additional relevant information by the division or the U.S. EPA.

(h) Ozone depleting substances

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
  - a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
  - b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
  - c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
  - d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the record keeping requirements pursuant to 40 CFR 82.166.
  - e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
  - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

**SECTION H - ALTERNATE OPERATING SCENARIOS**

None

**SECTION I - COMPLIANCE SCHEDULE**

None

## SECTION J -ACID RAIN PERMIT

### ACID RAIN PERMIT CONTENTS

- 1) Statement of Basis
- 2) SO<sub>2</sub> allowances allocated under this permit and NO<sub>x</sub> requirements for each affected unit.
- 3) Comments, notes and justifications regarding permit decisions and changes made to the permit application forms during the review process, and any additional requirements or conditions.
- 3) The permit application submitted for this source. The owners and operators of the source must comply with the standard requirements and special provisions set forth in the Phase II Application.
- 5) Summary of Actions

#### 1) Statement of Basis:

**Statutory and Regulatory Authorities:** In accordance with KRS 224.10-100 and Titles IV and V of the Clean Air Act, the Kentucky Natural Resources and Environmental Protection Cabinet, Division for Air Quality issues this permit pursuant to Regulations 401 KAR 52:020, Permits, 401 KAR 52:060, Acid Rain Permit, and Federal Regulation 40 CFR Part 76.

**PERMIT (Conditions)**

<b>Plant Name:</b> Calvert City Power I, LLC
<b>Affected Unit:</b> 1 (501F - TB - 1)

**2) SO<sub>2</sub> Allowance Allocations and NO<sub>x</sub> Requirements for the affected unit:**

SO <sub>2</sub> Allowances	Year				
	2003	2004	2005	2006	2007
<b>Tables 2, 3 or 4 of 40 CFR Part 73</b>	0*	0*	0*	0*	0*

<b>NO<sub>x</sub> Requirements</b>	
<b>NO<sub>x</sub> Limits</b>	N/A**

\* For newly constructed units there are no SO<sub>2</sub> allowances allocations per USEPA Acid Rain Program.

\*\* This unit currently does not have applicable NO<sub>x</sub> limits set by 40 CFR, part 76.

**PERMIT (Conditions)**

<b>Plant Name:</b> Calvert City Power I, LLC
<b>Affected Unit:</b> 2 (501F - TB -2)

**SO<sub>2</sub> Allowance Allocations and NO<sub>x</sub> Requirements for the affected unit:**

SO <sub>2</sub> Allowances	Year				
	2003	2004	2005	2006	2007
<b>Tables 2, 3 or 4 of 40 CFR Part 73</b>	0*	0*	0*	0*	0*

<b>NO<sub>x</sub> Requirements</b>	
<b>NO<sub>x</sub> Limits</b>	N/A**

\* For newly constructed units there are no SO<sub>2</sub> allowances allocations per USEPA Acid Rain Program.

\*\* This unit currently does not have applicable NO<sub>x</sub> limits set by 40 CFR, part 76.



**PERMIT (Conditions)**

<b>Plant Name:</b>	Calvert City Power I, LLC
<b>Affected Unit:</b>	3 (501F - TB – 3)

**SO<sub>2</sub> Allowance Allocations and NO<sub>x</sub> Requirements for the affected unit:**

SO <sub>2</sub> Allowances	Year				
	2003	2004	2005	2006	2007
<b>Tables 2, 3 or 4 of 40 CFR Part 73</b>	0*	0*	0*	0*	0*

<b>NO<sub>x</sub> Requirements</b>	
<b>NO<sub>x</sub> Limits</b>	N/A**

\* For newly constructed units there are no SO<sub>2</sub> allowances allocations per USEPA Acid Rain Program.

\*\* This unit currently does not have applicable NO<sub>x</sub> limits set by 40 CFR, part 76.

**PERMIT (Conditions)**

**3. Comments, Notes, and Justifications:**

The three (3) combustion turbines, units 1, 2, and 3 will be constructed after the SO<sub>2</sub> allocation date; therefore these units will have no SO<sub>2</sub> allowances allocated by U.S. EPA and must obtain allowances.

The three (3) combustion turbines, units 1, 2, and 3 do not have applicable NO<sub>x</sub> limits set by 40 CFR part 76.

**4. Permit Application:** Attached

The Phase II Permit Application is a part of this permit and the source must comply with the standard requirements and special provisions set forth in the Phase II Application.

**5. Summary of Actions:**

1. Draft Title V with Section J Acid Rain Permit has been advertised for public comment.

**Present Action:**

1. Proposed/Final Permit.